Before the Federal Communications Commission Washington, D.C. 20554

)	
Knology, Inc.,)	
)	
Complainant,)	
)	
V.)	File No. PA 01-007
)	
Gulf Power Company,)	
)	
Respondent.)	

ORDER

Adopted: May 2, 2002 **Released:** May 3, 2002

By the Chief, Market Disputes Resolution Division, Enforcement Bureau:

- 1. On December 7, 2001, Knology, Inc. ("Knology") filed the captioned complaint against Gulf Power Company ("Gulf Power") pursuant to section 224 of the Communications Act of 1934, as amended, 47 U.S.C. § 224, and Subpart J of Part 1 of the Commission's Rules, 47 C.F.R. §§ 1.1401–1.1418.
- 2. The parties recently entered into negotiations for the purpose of settling their dispute. On April 26, 2002, they filed a Joint Motion to Dismiss ("Motion") the complaint pending against Gulf Power with prejudice.
- 3. We are satisfied that dismissing the Complaint will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further resources of the parties and this Commission.
- 4. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), and 224, and the authority delegated in sections 0.111 and 0.311 of the Commission's Rules, 47 C.F.R. §§ 0.111 and 0.311, that the Joint Motion to Dismiss the above-captioned complaint with prejudice is GRANTED.

5. IT IS FURTHER ORDERED that the above-captioned complaint IS DISMISSED WITH PREJUDICE and that the proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr Chief, Market Disputes Resolution Division Enforcement Bureau